

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JONATHAN MEIER, MICHAEL RAY
TURNER, BENITO MIGUEL CUriEL,
CRAIG CARNELL PICKENS, and
SHANNON TURNER IVORY,

Plaintiffs,

vs.

LONG, cpl, Individual and Official capacity;
BECKY, Ms., Account/Funds Handler,
Individual and Official capacity; UNKNOWN,
cpl, Shield Number 97092, Individual and
Official capacity; UNKNOWN, sgt, Individual
and Official capacity; UNKNOWN, cpl,
Shield Number 97051, Individual and
Official capacity; UNKNOWN SHERIFF,
Sheriff, Individual and Official capacity;
BRANDON, Head United States Marshal,
Individual and Official capacity; JON, Shield
Number 52, Individual and Official capacity;
UNKNOWN, Nurse, Individual and Official
capacity; UNKNOWN, Doctor, Individual and
Official capacity; and UNKNOWN, Capt,
Individual and Official capacity;

Defendants.

8:24CV389

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' "Motion to Take Notice" (the "Notice") [Filing No. 24](#), which appears to be in response to this Court's prior Memorandum and Order requiring each plaintiff to advise the Court whether they wish to continue as a Plaintiff in this group action, entered October 8, 2024, [Filing No. 15](#).

As noted in the October 8 Memorandum and Order:

Plaintiffs must note that any proposed amended complaint or other document filed on behalf of multiple Plaintiffs must be signed by each of the Plaintiffs. As long as Plaintiffs appear without counsel in this action, each Plaintiff must sign documents for himself. See [Fed. R. Civ. P. 11](#). A non-

attorney cannot file or sign papers for another litigant. Plaintiffs are WARNED that future group motions or pleadings that do not comply with this requirement shall be stricken pursuant to [Rule 11\(a\)](#).

Id. at 3.

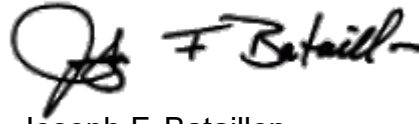
The Notice does not appear to be signed by each plaintiff, and instead contains each plaintiff's printed name, inmate number, and address, [Filing No. 24 at 1](#), and is therefore not compliant with [Rule 11](#) and must be stricken. The Court reiterates that the Court cannot waive the signature requirement. If the Plaintiffs decide to continue litigating this matter jointly, each Plaintiff must sign every pleading and document filed with this Court unless specifically instructed not to (as with the motions to proceed in forma pauperis as discussed in the October 8 Memorandum and Order, see [Filing No. 15 at 5](#)). The signature requirement remains in effect even if a joint-plaintiff is released or transferred to a different facility.

IT IS THEREFORE ORDERED that:

1. The Clerk of Court is instructed to strike the Motion to Take Notice, [Filing No. 24](#), from the record.
2. The non-lead plaintiffs Turner, Curiel, Pickens, and Ivory, still shall have until **November 6, 2024**, in which to advise the Court whether they wish to continue as a plaintiff in this group action in compliance with this Court's October 8 Memorandum and Order, all of which remains in effect, [Filing No. 15](#). To the extent all non-lead plaintiffs intend to proceed in this joint litigation, they may submit a joint notice so long as each non-lead plaintiff individually signs the notice. If the non-lead plaintiffs are not in agreement, each must submit a separate notice informing the Court if they wish to proceed jointly, separately, or if they wish not to proceed with the case at all.

Dated this 18th day of October, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Joseph F. Bataillon
Senior United States District Court